Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of Yorktown WWTF, 500 South Riedel Street, approximately 0.7 mile southeast of the intersection of State Highway ("SH") 72 and SH 119 at the end of Eckhardt Street, Yorktown. Dewitt County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 25, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$51,030

Amount Deferred for Expedited Settlement: \$10,206 **Amount Deferred for Financial Inability to Pay:** \$0

Total Paid to General Revenue: \$1,134
Total Due to General Revenue: \$39,690

Payment Plan: 35 payments of \$1,134 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: February 20, 2013

Date(s) of NOE(s): April 19, 2013

Violation Information

- 1. Failed to ensure that the Facility is operated a minimum of five days per week by a chief operator or an operator holding a Category C license or higher. Specifically, it was documented that the licensed chief operator visits the Facility only once per week [30 Tex. Admin. Code §§ 30.350(d) and 305.125(1) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0010323001, Other Requirements No. 1].
- 2. Failed to give 180 days prior notice to the Executive Director ("ED") of any change in the sewage sludge disposal practice. Specifically, it was documented during a review of sludge trip tickets that sludge was hauled to Victoria Compost Facility, a Type V Municipal Solid Waste Processing Center, however, the sludge disposal facility listed on the Facility's permit application is Covel Gardens Landfill in San Antonio [30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010323001, Sludge Provisions, Section III, Part C].
- 3. Failed to ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the following deficiencies were noted: one of the three pumps in the main lift station was out of service, one of the five rotors in the oxidation ditch was non-functional, the chlorine contact chamber exhibited signs of accumulated solids including bubbling and rising solids, the enclosed chlorine room did not have an operational vent fan, the chlorine scale was non-functional and the visual alarm at the 8th Street lift station was burnt out [30 Tex. Admin. Code § 305.125(5) and TPDES Permit No. WQ0010323001, Operational Requirements No. 1].
- 4. Failed to maintain records of monitoring activites. Specifically, it was documented that the following records were not being maintained: sample and analysis times for field parameters, quality control results and the identity of the individual performing the analysis [30 Tex. Admin. Code §§ 305.125(1) and 319.7(a)(1), (2), (3) and (5) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements Nos. 3.c.i., iii., iv. and vi.].
- 5. Failed to timely submit the monthly discharge monitoring reports ("DMRs") for the monitoring periods ending May 31, 2012, July 31, 2012, and December 31, 2012 [30 TEX. ADMIN. CODE §§ 305.125(17) and 319.7(d) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 1].
- 6. Failed to submit noncompliance notifications for effluent violations that exceeded the permitted effluent limit by 40% or more for the monitoring periods ending February 29,

2012 through January 31, 2013 [30 TEX. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 7.c.].

- 7. Failed to comply with test procedures for the analysis of pollutants. Specifically, the pH buffer solutions were expired and pH calibration was not being performed on a daily basis [30 Tex. Admin. Code §§ 305.125(1) and 319.11 and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 2].
- 8. Failed to give notice to the ED as soon as possible of any planned physical alterations or additions to the Facility. Specifically, it was documented that two sludge drying beds not identified in the Facility's permit application were being used as part of the Facility's treatment process [30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010323001, Permit Conditions No. 4.a.].
- 9. Failed to timely submit the annual sludge report for the monitoring period ending July 31, 2012 [30 Tex. ADMIN. CODE § 305.125(1) and (17) and TPDES Permit No. WQ0010323001, Sludge Provisions].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require Respondent to:

- a. Immediately, ensure that the Facility is operated by an individual that holds a Category C or higher wastewater treatment operator's license at least five days per week.
- b. Within 15 days, submit written certification demonstrating compliance with Ordering Provision a.
- c. Within 30 days:
- i. Provide notice to the ED of changes to the sludge disposal practices as originally described in the Facility's permit application;
- ii. Ensure that records of monitoring activities include the following: sample and analysis times for field parameters, quality control results and the identity of the individual performing the analysis;

- iii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DMRs and sludge reports;
- iv. Update the Facility's operational guidance and conduct employee training to ensure that notification is submitted in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of an effluent violation which deviates from the permitted effluent limitation by more than 40%; and
- v. Update the Facility's operational guidance and conduct employee training to ensure that effluent sampling and reporting is conducted including but not limited to ensuring that pH calibration is properly conducted on a daily basis.
- d. Within 45 days, submit written certification demonstrating compliance with Ordering Provision c.
- e. Within 60 days, discontinue use of the sludge drying beds located at the old wastewater treatment facility and ensure that the sludge located there is removed and disposed of properly.
- f. Within 75 days, submit written certification demonstrating compliance with Ordering Provision e.
- g. Within 90 days, ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained, including but not limited to removing accumulated solids from the chlorine contact chamber and ensuring that it remains free of sludge, equipping the enclosed chlorine room with an operational vent fan, repairing or replacing the chlorine scale and repairing or replacing the visual alarm at the 8th Street lift station.
- h. Within 105 days, submit written certification demonstrating compliance with Ordering Provision g.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A

Hearing Date(s): N/A **Settlement Date:** N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Jill Russell, Enforcement Division, Enforcement

Team 3, MC 169, (512) 239-4564; Candy Garrett, Enforcement Division, MC 219,

(512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: The Honorable Rene Hernandez, Mayor, City of Yorktown, P.O. Box

605, Yorktown, Texas 78164 **Respondent's Attorney:** N/A



Pol	icy Revision 3 (S		alty C	Calculatio	n Worksheet (P	•	on August 3, 2011
TCEQ	icy Revision 5 (5	eptember 2011)				, , , , , , , , , , , , , , , , , , , ,	
DATES	Assigned PCW	22-Apr-2013 17-Jun-2013	Screenin	g 7-May-2013	EPA Due		
RESPOND	ENT/FACILI	TY INFORMATION	1	***************************************			
		City of Yorktown					
Reg. E	ent. Ref. No.	RN103025805					
Facility/	Site Region	14-Corpus Christi			Major/Minor Source	e Minor	<u></u>
CASE INF	ORMATION						
Enf./	Case ID No.				No. of Violation		
		2013-0888-MWD-E			Order Typ		
	Program(s) Multi-Media	Water Quality			Government/Non-Prof Enf. Coordinate		
	Multi-Media			فسمع حسنسلا فالتانات التاليبيا		m Enforcement Tear	n 3
Admir	n. Penalty \$	Limit Minimum	\$0	Maximum	\$25,000		
			Penal	ty Calcula	tion Section		
TOTAL E	BASE PENA	LTY (Sum of v	iolatior	n base pena	ties)	Subtotal 1	\$42,875
ADILICT	AFFET / .	/) TO CURTOT	an a				
ADJUST	MENIS (+ htotals 2-7 are o	/-) TO SUBTOT	AL 1 e Total Base	e Penalty (Subtotal	1) by the indicated percentage.		
	ompliance Hi			and a series and a series of the Series of t		totals 2, 3, & 7	\$29,155
		Enhancement for n	ine mont	hs of self-report	ed effluent violations and tw	10	
	Notes				hout denial of liability.		
			<u> </u>			rapril control principle at principle	
Cu	ılpability	No		0.0%	Enhancement	Subtotal 4	\$0
	Notos	The Poen	ondont de	nec not meet th	e culpability criteria.		
	Notes	The Kesp	ondent de	Jes not meet th	s curpability criteria.		
		<u> </u>					
Go	ood Faith Eff	ort to Comply Tot	al Adjust	ments		Subtotal 5	\$0
Ec	onomic Ben	efit		0.0%	Enhancement*	Subtotal 6	\$0
	Approx	Total EB Amounts Cost of Compliance	\$12,269 \$125.750	*Capp	ed at the Total EB \$ Amount		
	Арргох	. cost of compliance	\$123,730	J			
SUM OF	SUBTOTA	LS 1-7				Final Subtotal	\$72,030
		AS JUSTICE MA			-29.2%	Adjustment	-\$21,000
Reduces or e	nhances the Fina	Subtotal by the indicate					
	Notes	Reduction recomn			ing violation does not overly		
		and the second s	impad	ct the penalty a			
	140005		•	oc c po,	mount.		
	Notes					enalty Amount	\$51,030
E Ashbas Lucium -					Final Pe		
STATUT		T ADJUSTMENT			Final Pe	enalty Amount	\$51,030 \$51,030
	ORY LIMI	r adjustment			Final Pe	essed Penalty	\$51,030
DEFERR	ORY LIMI				Final Pe		
DEFERR	ORY LIMI				Final Pe	essed Penalty	\$51,030

PAYABLE PENALTY

\$40,824

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Respondent City of Yorktown

Case ID No. 46797

Reg. Ent. Reference No. RN103025805

Media [Statute] Water Quality Enf. Coordinator Jill Russell

Compliance History Worksheet

	Number of	Enter Number Here	
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	9	18%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		50%
Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
		ease Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
eat Violator (No		contaco (Cub	total 2)
	ory Person Classification (Subtotal 7)	contage (SUD	.v.ar 3)
Satisfactory		rentage (Sub	total 7)
ipliance Histo		comage (Sub	.J.ai 7)
			romn meder FUSSE
Compliance History Notes	Enhancement for nine months of self-reported effluent violations and two ac enforcement orders without denial of liability.	reed final	

Screening Date			Docket No. 201		elektrise kilologische der eine der ein	PCW
	City of Yorktown			P	Policy Revision 3 (· 1
Case ID No. Reg. Ent. Reference No.					PCW Revisio	n August 3, 2011
Media [Statute]						· ·
Enf. Coordinator						and the state of t
Violation Number						Accounts to the control of the contr
		nde 55 30 350(d)	and 305.125(1) and	Tayac Pollutant Di	ischarge	· Assuman
Rule Cite(s)			nit No. WQ00103230 No. 1			
Violation Description	chief operato documented durin	or or an operator h g an investigation	perated a minimum olding a Category C conducted on Februa chief operator visits	license or higher, ary 20, 2013. Spe	as ecifically,	
TO THE PARTY OF TH			week.			THE PROPERTY OF THE PROPERTY O
				Base	Penalty	\$25,000
>> Environmental, Proper	ty and Human	Health Matri: Harm	C			
Release OR Actual		Minderate Mind	or			
OR Actual Potential	×		Per	cent 15.0%		
>>Programmatic Matrix						
Falsification	Major N	1oderate Mind		cent 0.0%		
	ne Facility's equipm	ent. As a result, h	not allow for the pro uman health and the	e environment will		
Notes L	be exposed to p	pollutants which we	ould exceed protective	ve levels.		
			Adjustr	ment	\$21,250	
						\$3,750
Violation Events						'
Number of \	Violation Events	3	76 Num	nber of violation da	ays	
	daily weekly					инин анино до
mark only one with an x	monthly quarterly semiannual	X		Violation Base	Penalty	\$11,250
	annual					
	single event					
Three monthl			d from the date of threening, May 7, 2013		ebruary	
		,, to the date of se				
Good Faith Efforts to Com		0.0% Reducti	ori DPRP/Settlement Offer			\$0
	Extraordinary					
	Ordinary N/A	X (mark wii	-h v)			
		he Respondent do	es not meet the good or this violation.	d faith criteria		ныниминини
			A GIIS VIOLEUIIS			
	95595555555555555555555555555555555555			Violation S		\$11,250
Economic Benefit (EB) for				itutory Limit 1		
Estimate	ed EB Amount			tion Final Penalt	-	\$13,390
		This violation Fi	nal Assessed Pena	Ity (adjusted for	limits)	\$13,390

Economic Benefit Worksheet

Respondent City of Yorktown
Case ID No. 46797
Reg. Ent. Reference No. RN103025805
Media Water Quality
Violation No. 1

Percent Interest Depreciation

5.0

15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount Item Description No commas or \$

Delayed Costs

Equipment
Buildings
Other (as needed)
Engineering/construction
Land
Record Keeping System
Training/Sampling
Remediation/Disposal
Permit Costs
Other (as needed)

0.00	\$0	\$0	\$0
0.00	\$0	\$0	\$0
0.00	\$0	\$0	\$0
0.00	\$0	\$0	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0
0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

Disposal
Personnel
Inspection/Reporting/Sampling
Supplies/equipment
Financial Assurance [2]
ONE-TIME avoided costs [3]
Other (as needed)

ANNUAL	ZE [1] avoided	costs before	entering	item (except	for one-time avo	ded costs)
			0.00	\$0	\$0	\$0
\$24,000	20-Feb-2013	7-May-2013	0.21	\$250	\$4,997	\$5,247
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount necessary to employ a Category C licensed operator to supervise operation of the Facility at least five days per week, calculated from the date of the investigation to the date of screening.

Approx. Cost of Compliance \$24,000 TOTAL \$5,247

Screening Date		Docket No. 2013-0888-MWD-E	PCW
Birrali runina i iranu kupada kala ka uka ka ka kali ka bibi bibi Tibigi na bibi Tibigi sa bibi bibi bibi bibi	City of Yorktown		sion 3 (September 2011)
Case ID No. Reg. Ent. Reference No.		PCW	Revision August 3, 2011
Media [Statute]			
Enf. Coordinator			
Violation Number			=1
Rule Cite(s)	30 Tex. Admin. Code §	305.125(1) and TPDES Permit No. WQ0010323001, Sludge Provisions, Section III, Part C	
Violation Description	sewage sludge disposal on February 20, 2013 trip tickets that sludge Solid Waste Processing	s prior notice to the Executive Director of any change in the I practice, as documented during an investigation conducted . Specifically, it was documented during a review of sludge was hauled to Victoria Compost Facility, a Type V Municipal g Center, however, the sludge disposal facility listed on the application is Covel Gardens Landfill in San Antonio.	
		Base Penalty	\$25,000
>> Environmental, Proper Release Actual Potential	Harr Major Modera	m .	
>>Programmatic Matrix			
Falsification	Major Modera	ate Minor Percent 5.0%	
Matrix			
Notes	100% of th	ne rule requirement was not met.	· ·
		Adjustment \$23,750	The state of the s
			\$1,250
Violation Events			
Number of N	Violation Events 1	76 Number of violation days	
	daily entry		
mark only one with an x	monthly quarterly semiannual annual single event x	Violation Base Penalty	\$1,250
	One si	ngle event is recommended.	
Good Faith Efforts to Com		.0% Reduction	\$0
	Extraordinary Before N	NOV NOV to EDPRP/Settlement Offer	
	Ordinary		
	N/A X	(mark with x)	
	Notes The Res	pondent does not meet the good faith criteria for this violation.	
	Uninitial designation and the analysis of the	Violation Subtotal	\$1,250
Economic Benefit (EB) for	this violation	Statutory Limit Test	
Estimate	ed EB Amount	\$2 Violation Final Penalty Total	\$1,488
	-	s violation Final Assessed Penalty (adjusted for limits)	\$1,488

\							
eg. Ent. Reference No. Media Violation No.	Water Quality					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
0.1				10.00		170	30
Other (as needed) Notes for DELAYED costs			stimated amour	0.78 nt nece	\$2 ssary to provide n	n/a otification to the Exit the investigation to	\$2 ecutive Director
Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/equipment	The delayed co of changes to	osts include the e the sludge dispos	stimated amour sal practices, ca dat	0.78 It nece liculate e of co enterin 0.00 0.00 0.00 0.00 0.00	\$2 ssary to provide n d from the date of mpliance. ng item (except \$0 \$0 \$0 \$0	n/a otification to the Exit the investigation to for one-time avoid \$0 \$0 \$0 \$0 \$0	\$2 ecutive Director the estimated ded costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	The delayed co of changes to	osts include the e the sludge dispos	stimated amour sal practices, ca dat	0.78 It nece liculate e of co enterii 0.00 0.00 0.00	\$2 ssary to provide n d from the date of mpliance. ng item (except \$0 \$0 \$0	n/a otification to the Exit the investigation to for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$2 ecutive Director the estimated ded costs) \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delayed co of changes to	osts include the e the sludge dispos	stimated amour sal practices, ca dat	0.78 nt nece culate e of co 0.00 0.00 0.00 0.00 0.00	\$2 ssary to provide n d from the date of mpliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a otification to the Exit the investigation to for one-time avoid \$0 \$0 \$0 \$0 \$0	\$2 ecutive Director the estimated ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed co of changes to	osts include the e the sludge dispos	stimated amour sal practices, ca dat	0.78 nt nece lculate e of co enterii 0.00 0.00 0.00 0.00 0.00	\$2 ssary to provide n d from the date of mpliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a otification to the Exit the investigation to for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$2 ecutive Director the estimated ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

				out.			
					1	Base Penalty	\$25,000
>> Environme	ntal, Property	and Hun	nan Health	Matrix			
	Release	Major	Harm Moderate	Minor			
OR	Actual				***************************************		
	Potential	X			Percent 15.0	0%]	
>>Programma	tic Matrix						
	Falsification	Major	Moderate	Minor	Percent 0.0	0%	
	LL		1	<u></u>	Percent 0.0		
Matrix	Human health	or the envir	onment will or	could be expose	d to significant amounts o	of pollutants	
Matrix Notes	which would ex	xceed levels		tive of human he the violation.	ealth or the environment a	as a result of	
					Adjustment	\$21,250	
							\$3,750
	Basa Modali, III ay Belin (Bis)						
Violation Even							
	Number of Vid	olation Event	s 3		76 Number of violat	tion days	
		dally					
		weekly					
	mark only one	monthly quarterly	X		Violation	Base Penalty	\$11,250
	with an x	semiannual				\$ \$00,000000000000000000000000000000000	
		annual					
	8 :	single event		<u> </u>			
	Three monthly	events are i	ecommended,	calculated from	the date of the investigation	on, February	
	,			ate of screening			
				1			\$0
Good Faith Eff	orts to Comp	Įγ	0.0% Before NOV	Reduction NOV to EDPRP/Seti	lement Offer		φU
	E	extraordinary					
		Ordinar					
		N/	1	(mark with x)			
		Note	The Respond	dent does not me this vio	eet the good faith criteria i	for	
				tilis vic	macion.		
					Viola	tion Subtotal	\$11,250
		bio violes			Statutory Li	mit Test	
Economic Ben				+6 636	and a control of the	******	\$13,390
	Estimated	d EB Amoun		\$6,636	Violation Final F	-	
			This vio	lation Final As	sessed Penalty (adjuste	ed for limits)	\$13,390

Economic Benefit Worksheet

Respondent City of Yorktown Case ID No. 46797 Reg. Ent. Reference No. RN103025805 Years of Percent Interest Depreciation Media Water Quality Violation No. 3 5.0 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$ **Delayed Costs** 0.00 \$0 \$0 \$0 Equipment 0.00 \$0 \$0 Buildings \$100,000 20-Feb-2013 0.95 \$316 \$6,320 \$6,636 Other (as needed) 0.00 \$0 Engineering/construction \$0 n/a 0.00 \$0 Land \$0 0.00 Record Keeping System \$0 n/ā \$0 Training/Sampling 0.00 \$0 n/a Remediation/Disposal 0.00 \$0 n/a \$0 0.00 \$0 n/a \$0 **Permit Costs** 0.00 \$0 Other (as needed) The delayed costs include the estimated amount necessary to make improvements to the Facility to ensure that all of its systems of collection, treatment and disposal are properly operated and maintained, including removing sludge from the chlorine contact chamber and ensuring that it remains free of sludge, equipping Notes for DELAYED costs the enclosed chlorine room with an operational vent fan, repairing or replacing the chlorine scale and repairing or replacing the visual alarm at the 8th Street lift station, calculated from the date of the investigation to the estimated date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** 0.00 \$0 \$0 Disposal 0.00 Personnel \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 Supplies/equipment 0.00 \$0 \$0 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 \$0 \$0 Other (as needed) Notes for AVOIDED costs TOTAL. \$6,636 \$100,000 Approx. Cost of Compliance

Screening Date		Docket No. 2013-0888-MWD-E	PCW
	City of Yorktown		Policy Revision 3 (September 2011)
Case ID No. Reg. Ent. Reference No.			PCW Revision August 3, 2011
Media [Statute]			
Enf. Coordinator			
Violation Number			
Rule Cite(s)		ode §§ 305.125(1) and 319.7(a)(1), (2), (3) and (5) and 0323001, Monitoring and Reporting Requirements Nos. iv. and vi.	
Violation Description	investigation condi the following recor	tain records of monitoring activites, as documented durin ucted on February 20, 2013. Specifically, it was docume ds were not being maintained: sample and analysis time ty control results and the identity of the individual perfor analysis.	nted that s for field
		Base	Penalty \$25,000
>> Environmental, Proper		Health Matrix Harm	
Release OR Actual		loderate Minor	
Potential		Percent 0.0%	
>>Programmatic Matrix Falsification	Major M	loderate Minor	
111111111111111111111111111111111111111		Percent 2.5%	
Matrix	Between 30 a	nd 70% of the rule requirement was not met.	
Notes		The role requirement was not lied.	
		Adjustment	\$24,375
			\$625
Violation Events			
Number of V	/iolation Events	1 Number of violation of	lays
	dally weekly		2000
mark only one with an x	monthly quarterly	Violation Base	Penalty \$625
	semiannual annual		
	single event	X 25 1	
	0	ne single event is recommended.	The second secon
Good Faith Efforts to Com	10001100000000000000000000000000000000	0.0% Reduction	\$0
	Extraordinary Be	efore NOV NOV to EDPRP/Settlement Offer	
	Ordinary		To be the second
	N/A	X (mark with x)	
	Notes The	e Respondent does not meet the good faith criteria for this violation.	
		Violation S	Subtotal \$625
Economic Benefit (EB) for	this violation	Statutory Limit	Test
Estimat	ed EB Amount	\$10 Violation Final Penal	ty Total \$744
		This violation Final Assessed Penalty (adjusted fo	r limits) \$744

	RN103025805 Water Quality					Percent Interest	Years of Depreciation
Violation No.	7					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delaved Costs							
Equipment		1		0.00	\$0	\$0	\$0
Buildings	 	 		0.00	\$0 \$0	\$0 \$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction		1		0.00	\$0	\$0	<u>\$0</u>
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$250	20-Feb-2013	1-Dec-2013	0.78	\$10	n/a	\$10
Training/Sampling				0.00	\$0	n/a	\$0
				0.00	\$0		\$0
Remediation/Disposal	100000000000000000000000000000000000000	1		יטטיט וו	⇒ ⊅U.:	n/a	30
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a	\$0 \$0
			activities is mai	0.00 0.00 nt nece ntained	\$0 \$0 ssary to conduct e , calculated from t		\$0 \$0 ensure that an
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	accurate reco	ord of monitoring a	activities is mai estimate	0.00 0.00 nt necentained d date enterin 0.00 0.00 0.00	\$0 \$0 ssary to conduct e , calculated from t of compliance. 19 item (except \$0 \$0 \$0	n/a n/a n/a employee training to the date of the inves for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 ensure that an stigation to the ded costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Personnel Supplies/equipment	accurate reco	ord of monitoring a	activities is mai estimate	0.00 0.00 nt necentained ed date entering 0.00 0.00	\$0 \$0 ssary to conduct e , calculated from t of compliance. ng item (except \$0 \$0	n/a n/a n/a employee training to the date of the inves for one-time avoic \$0 \$0	\$0 \$0 ensure that an stigation to the ded costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling	accurate reco	ord of monitoring a	activities is mai estimate	0.00 0.00 nt necentained d date enterin 0.00 0.00 0.00	\$0 \$0 ssary to conduct e, calculated from to of compliance. 1g Item (except \$0 \$0 \$0 \$0	n/a n/a n/a employee training to the date of the inves for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ensure that an stigation to the ded costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL	ord of monitoring a	activities is mai estimate	0.00 0.00 nt necentained d date enterin 0.00 0.00 0.00 0.00	\$0 \$0 ssary to conduct e, calculated from to of compliance. ng item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a employee training to the date of the inves for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ensure that an stigation to the led costs) \$0 \$0 \$0 \$0

Respondent City of Yorkstown Case LT No. 46797 Reg. Ent. Reference No. 881103025805 Media [Statute] Water Quality Enf. Coordinator Ill Russell Violation Number Sample Sample	Screening Date		Docket No. 2013-0888-MWD-E	indianananananananananananananananananan	PCW
Reg. Ent. Reference No. RIJIS0355805 Media [Statuter] Water Quality Enf. Coordinator 3II Russel Violation Number S Rule Cite(s) Treatment of turney submit the monthly discharge monitoring reports ("DMRs") for the monitoring periods ending May 31, 2012, and 31, 2012, and 32, 2013, and 32, 2013, and 32, 2012, and 32, 2012, and 32, 2012, and 32, 2012, and 32, 2013,					
Media Statute Water Quality Enf. Coordinator Directives Statute Water Quality Statute Wolation Number Statute Wolation Number Statute Wolation Number Statute Wolation Number Statute Statute Statute Wolation Wola				PCW R	evision August 3, 2011
Part Coordinator Jun Russel					
Rule Cite(s) 30 Tex. Admin. Code §§ 305.125(17) and 319.7(d) and TPDES Permit No. WQQ010323301, Monitoring and Reporting Requirements No. 1 Falled to timely subthering monitoring reports ("DMRs") for the monitoring periods ending Nat 31, 2012, Jul 31, 2012, and December 31, 2012, as documented during an investigation conducted on February 20, 2013. See Penalty \$25,000 >> Environmental, Property and Human Health Matrix Harm OR Actual Potental Po					
Violation Description Failed to timely submit the monthly discharge monitoring reports ("DMRs") for the monitoring periods ending May 31, 2012, July 31, 2012, and Descember 31, 2012, as documented during an investigation conducted on February 20, 2013.		برين بين السين المسال ا			
Violation Description monitoring periods ending Nay 31, 2012, July 31, 2012, and December 31, 2012, as documented during an investigation conducted on February 20, 2013.	Rule Cite(s)	JO TEX. Admin. Co		t No.	
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential Percent 0,0% >> Programmatic Matrix Falsification Major Moderate Minor Falsification Maj	Violation Description	monitoring periods en	ding May 31, 2012, July 31, 2012, and December 3	1, 2012,	
Number of Violation Events Number of Violation Base Penalty S750 Number of Violation Base Pe			Base	e Penalty[\$25,000
OR Release Major Moderate Minor O.0% Potential Potential Percent O.0% Programmatic Matrix Falsification Major Moderate Minor Percent I.0% Matrix Motes More than 70% of the rule requirement was met. More than 70% of the rule requirement was met. Adjustment \$24,750 \$250 Violation Events Number of Violation Events 3 93 Number of violation days Matrix Notes Violation Events 3 93 Number of violation days Three single events are recommended (one for each report). Good Faith Efforts to Comply Ordinary N/A (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Feconomic Benefit (EB) for this violation Estimated EB Amount \$10 Violation Final Penalty Total \$893	>> Environmental, Proper	ty and Human He	alth Matrix		
Percent 0.0% Potential Percent 0.0% >> Programmatic Matrix Falsification Major Moderate Minor Percent 1.0% Matrix Notes More than 70% of the rule requirement was met. More than 70% of the rule requirement was met. ### Adjustment \$24,750 \$250 \$250 Violation Events \$3	Palazsa				
>> Programmatic Matrix Falsification			acc Pinior		
Falsification Major Moderate Minor Matrix Notes More than 70% of the rule requirement was met. Adjustment \$24,750 \$250	Potential		Percent 0.0%		
Falsification Major Moderate Minor Matrix Notes More than 70% of the rule requirement was met. Adjustment \$24,750 \$250	>>Programmatic Matrix				
Matrix Notes More than 70% of the rule requirement was met. Adjustment \$24,750 \$250 Violation Events Number of Violation Events 3 93 Number of violation days daily weekly mark only one with an x Three single events are recommended (one for each report). Good Faith Efforts to Comply 0.0% Reduction 9 Pefore NOV NOV to EDPRF/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation \$500 Statutory Limit Test Estimated EB Amount \$100 Violation Final Penalty Total \$893		Major Moder			
Notes Note			X Percent 1.0%		
Violation Events Number of Violation Events 3 93 Number of violation days daily weekly monthly quarterly semiannual single event x Three single events are recommended (one for each report). Good Faith Efforts to Comply 0.0% Reduction Extraordinary Ordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation \$893	1	More than 70	% of the rule requirement was met.		
Violation Events Number of Violation Events 3 93 Number of violation days daily weekly monthly quarterly semiannual single event x Three single events are recommended (one for each report). Good Faith Efforts to Comply 0.0% Reduction Extraordinary Ordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation \$893				السيسي	
Violation Events Sample of Violation Even			Adjustment	\$24,750	
Number of Violation Events 3 93 Number of violation days daily				Γ	\$250
dally weekly monthly durterly semiannual annual single event x Three single events are recommended (one for each report). Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test \$893	Violation Events			-	
Weekly monthly one with an x Weekly monthly quarterly semiannual annual single event X Wiolation Base Penalty \$750 Three single events are recommended (one for each report). \$0	Number of V	/iolation Events	93 Number of violation of	days	
mark only one with an x monthly quarterly semiannual annual single event x					
Good Faith Efforts to Comply Serior Nov Nov to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation. Feconomic Benefit (EB) for this violation Figure 100 Figure 100 Figure 100 Figure 200 Fi					
Three single events are recommended (one for each report). Good Faith Efforts to Comply Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Estimated EB Amount \$10 Violation Final Penalty Total \$893		quarterly	Violation Base	Penalty	\$750
Three single events are recommended (one for each report). Good Faith Efforts to Comply Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893					
Good Faith Efforts to Comply Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893					
Good Faith Efforts to Comply Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893					
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation \$10 Violation Final Penalty Total \$893		Three single events	s are recommended (one for each report).		
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation \$10 Violation Final Penalty Total \$893	L				
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation \$10 Violation Final Penalty Total \$893	Good Faith Efforts to Comp	ply 0	.0% Reduction		\$0
Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893		Before	NOV NOV to EDPRP/Settlement Offer		
Notes Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893		·			
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$750 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893			(mark with x)		
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893		The Res	spondent does not meet the good faith criteria for		
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$10 Violation Final Penalty Total \$893		<u> </u>	Violation	Subtotal	\$750
Estimated EB Amount \$10 Violation Final Penalty Total \$893	Ezonomia Donalia (ED) (thic violatica			
			200101100011111111111111111111111111111	_	
This violation Final Assessed Penalty (adjusted for limits) \$893	Estimate	d EB Amount	\$10 Violation Final Pena	ity Total	\$893
		Thi	s violation Final Assessed Penalty (adjusted fo	or limits)	\$893

	E	conomic	Benefit	Wo	rksheet		
Respondent							
Case ID No.							
eg. Ent. Reference No.							
	Water Quality	•					Years of
Violation No.						Percent Interest	Depreciation
Violation No.	3						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	20-Feb-2013	1-Dec-2013	0.78	\$10	n/a	\$10
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	<u>\$0</u>
Other (as needed)		1		10.00	\$0	l n/a	\$0
Notes for DELAYED costs Avoided Costs		date of ti	ne investigation	to the	estimated date of ng item (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	<u>\$0</u>	\$0	\$0
Financial Assurance [2]				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3] Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		_!!		10.00	<u> </u>	<u> </u>	- JU
Notes for AVOIDED costs							

Case ID No. 46797 Reg. Ent. Reference No. RN103025805 Media [Statute] Water Quality Enf. Coordinator Jill Russell Violation Number 6	3 (September 2011)
Reg. Ent. Reference No. RN103025805 Media [Statute] Water Quality Enf. Coordinator Jill Russell Violation Number 6	
Media [Statute] Water Quality Enf. Coordinator Jill Russell Violation Number 6	sion August 3, 2011
Violation Number 6	
30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 7.c.	
Violation Description Failed to submit noncompliance notifications for effluent violations that exceeded the permitted effluent limit by 40% or more for the monitoring periods ending February 29, 2012 through January 31, 2013, as documented during an investigation conducted on February 20, 2013.	
Base Penalty	\$25,000
>> Environmental, Property and Human Health Matrix Harm	
Release Major Moderate Minor	
OR Actual Potential Percent 0.0%	
>>Programmatic MatrixFalsification	
Percent 5.0%	
Matrix Notes 1.00% of the rule requirement was not met.	
Adjustment \$23,750	
	\$1,250
V#####################################	
Violation Events	
Number of Violation Events 12 13 Number of violation days	
daily	
weekly monthly	
mark only one quarterly Violation Base Penalty	\$15,000
semannual annual annual	
single event x	
Twelve single events are recommended (one for each report).	
Good Faith Efforts to Comply 0.0% Reduction	\$0
Before NOV NOV to EDPRP/Settlement Offer	
Extraordinary Ordinary	
N/Al X (mark with x)	
N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation.	
Notes The Respondent does not meet the good faith criteria for this violation.	¢15 000
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal	\$15,000
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal Economic Benefit (EB) for this violation Statutory Limit Test	
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal	\$15,000 \$17,853

Economic Benefit Worksheet Respondent City of Yorktown Case ID No. 46797 Reg. Ent. Reference No. RN103025805 Media Water Quality Years of **Percent Interest** Depreciation Violation No. 6 5.0 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$ **Delayed Costs** 0.00 \$0 \$0 \$0 Equipment 0.00 \$0 \$0 \$0 Buildings Other (as needed) 0.00 \$0 \$0 \$0 0.00 \$0 \$0 Engineering/construction \$0 0.00 \$0 n/a Land Record Keeping System \$0 0.00 \$0 n/a \$250 20-Feb-2013 1-Dec-2013 \$10 n/a Training/Sampling 0.78 \$10 Remediation/Disposal 0.00 \$0 n/a \$0 \$0 **Permit Costs** 0.00 \$0 n/a Other (as needed) 0.00 \$0 n/a The delayed costs include the estimated amount necessary to conduct employee training to ensure the timely submittal of noncompliance notifications, calculated from the date of the investigation to the Notes for DELAYED costs estimated date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** 0.00 \$0 Disposal 0.00 \$0 \$0 \$0 Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling \$0 \$0 0.00 \$0 \$0 Supplies/equipment 0.00 \$0 Financial Assurance [2] \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 5-Feb-2013 1.84 \$300 5-Mar-2012 Other (as needed) \$28 \$300 The avoided costs include the estimated amount necessary to submit noncompliance notifications (\$25 per notification), calculated from the date the first notification was due to the date the last notification was Notes for AVOIDED costs

\$550

Approx. Cost of Compliance

due.

TOTAL

\$337

	ning Date		Docket No. 2013-0888-MWD-E	PCW
	espondent ase ID No.	City of Yorktown		on 3 (September 2011)
Reg. Ent. Refe			PCW K	evision August 3, 2011
		Water Quality		
	ordinator			
	tion Number Rule Cite(s)		2. Codo SS 205 125/1) and 210 11 and TDDES Barmit No.	
	Rule Cite(s)	11 .	n. Code §§ 305.125(1) and 319.11 and TPDES Permit No. 23001, Monitoring and Reporting Requirements No. 2	
Violation	Description	during an investigat	th test procedures for the analysis of pollutants, as documented ion conducted on February 20, 2013. Specifically, the pH buffer ed and pH calibration was not being performed on a daily basis.	
			Base Penalty[\$25,000
>> Environmen	tal, Propei			
	Release		larm derate Minor	
OR	Actual	<u> </u>	B	
	Potential		X Percent 5.0%	
>>Programmat				
F	Falsification	Major Mo	derate Minor Percent 0.0%	
Matrix			nt will or could be exposed to significant amounts of pollutants are protective of human health or environmental receptors as a	
Notes	Willer Would II	ot execed levels that	result of the violation.	
<u> </u>			#32.750	
			Adjustment \$23,750	
				\$1,250
Violation Events				
	Number of \	Violation Events	1 76 Number of violation days	
		daily		
		weekly		
	mark only one	monthly quarterly	X Violation Base Penalty	\$1,250
	with an x	semiannual	•	
		annual single event		
le-				
	One quarterly	•	ded, calculated from the date of the investigation, February 20,	
L		2013, to	the date of screening, May 7, 2013.	
Good Faith Effor	rts to Com	ply Via	0.0% Reduction	\$0
		Befo	ore NOV NOV to EDPRP/Settlement Offer	
		Extraordinary Ordinary		
		N/A	X (mark with x)	
		The	Respondent does not meet the good faith criteria for	
		Notes	this violation.	
		<u> </u>	Violation Subtotal	\$1,250
Economic Benef	it (EB) for	this violation	Statutory Limit Test	
	Estimat	ed EB Amount	\$4 Violation Final Penalty Total	\$1,488
		-	This violation Final Assessed Penalty (adjusted for limits)	\$1,488
				Ψ1,100

	RN103025805 Water Quality					Percent Interest	Years of
Violation No.	7					5.0	Depreciation 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0.	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
				0.00			\$0
Remediation/Disposal		<u> </u>			\$0	n/a	
Remediation/Disposal Permit Costs Other (as needed)	\$100 The delaye		1-Dec-2013 e estimated am	0.00 0.78	\$0 \$4	n/a n/a n/a ase new pH buffer so	\$0 \$4
Permit Costs	The delaye	d costs include th	e estimated am is performed or	0.00 0.78 ount not a daily	\$0 \$4 ecessary to purcha	n/a n/a	\$0 \$4 Dlutions and
Permit Costs Other (as needed)	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0,78 ount not a daily ated da	\$0 \$4 ecessary to purcha / basis, calculated ate of compliance.	n/a n/a sse new pH buffer so	\$0 \$4 Dlutions and Investigation
Permit Costs Other (as needed) Notes for DELAYED costs	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0,78 ount not a daily ated da	\$0 \$4 ecessary to purcha / basis, calculated ate of compliance.	n/a n/a ase new pH buffer so from the date of the	\$0 \$4 Dlutions and Investigation
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount not a daily ated da	\$0 \$4 ecessary to purcha basis, calculated ate of compliance. ing item (except to \$0 \$0	n/a n/a ase new pH buffer so from the date of the for one-time avoid	\$0 \$4 Diutions and investigation
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount not a daily ated daily enterir 0.00	\$0 \$4 ecessary to purcha / basis, calculated ate of compliance. ig item (except \$0 \$0 \$0	n/a n/a n/a ase new pH buffer so from the date of the for one-time avoice \$0 \$0 \$0 \$0	\$0 \$4 Dilutions and e investigation
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount not a daily ated do enterir 0.00 0.00 0.00	\$0 \$4 ecessary to purchay basis, calculated ate of compliance. ing item (except 1 \$0 \$0 \$0	n/a n/a n/a ase new pH buffer so from the date of the for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$4 blutions and e investigation led costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount not a daily ated do enterir 0.00 0.00 0.00 0.00	\$0 \$4 ecessary to purchar basis, calculated ate of compliance. In the case of	n/a n/a n/a ase new pH buffer so from the date of the so	\$0 \$4 blutions and e investigation led costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount no a daily ated do enterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$4 ecessary to purcha basis, calculated ate of compliance. s0 \$0 \$0 \$0 \$0	n/a n/a n/a ase new pH buffer so from the date of the so	\$0 \$4 blutions and e investigation led costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount not a daily ated do enterir 0.00 0.00 0.00 0.00	\$0 \$4 ecessary to purchar basis, calculated ate of compliance. In the case of	n/a n/a n/a ase new pH buffer so from the date of the so	\$0 \$4 blutions and e investigation led costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount no a daily ated do enterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$4 ecessary to purcha basis, calculated ate of compliance. s0 \$0 \$0 \$0 \$0	n/a n/a n/a ase new pH buffer so from the date of the so	\$0 \$4 blutions and e investigation led costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye ensure that p	d costs include th proper calibration	e estimated am is performed or to the estim	0.00 0.78 ount no a daily ated do enterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$4 ecessary to purcha basis, calculated ate of compliance. s0 \$0 \$0 \$0 \$0	n/a n/a n/a ase new pH buffer so from the date of the so	\$0 \$4 blutions and e investigation led costs) \$0 \$0 \$0 \$0 \$0

Screening Date		Docket No. 2013-0888-MWD-E	e e central de desenventente en entre e	PCW
	City of Yorktown			on 3 (September 2011)
Case ID No. Reg. Ent. Reference No.			PCW R	evision August 3, 2011
Media [Statute]				
Enf. Coordinator				
Violation Number				
Rule Cite(s)	30 Tex. Admin.	Code § 305.125(1) and TPDES Permit No. WQ001032300 Conditions No. 4.a.	1, Permit	
Violation Description	physical all investigation cor	notice to the Executive Director as soon as possible of any terations or additions to the Facility, as documented during ducted on February 20, 2013. Specifically, it was documented beds not identified in the Facility's permit application woused as part of the Facility's treatment process.	g an ented that	
		Base	e Penalty[\$25,000
>> Environmental, Proper	ty and Huma	n Health Matrix		
Release	Major	Harm Moderate Minor		
OR Actual		Hoderate Maior		
Potential		Percent 0.0%		
>>Programmatic Matrix				
Falsification	Major	Moderate Minor		
	<u> </u>	Percent 5.0%		
Matrix Notes	100	% of the rule requirement was not met.		
Notes .				
		Adjustment	\$23,750	
Nacional Property of the Control of			Г	\$1,250
Violation Events			<u>.</u>	71,230
	Violation Events	1 76 Number of violation	days	
			•	
	daily weekly			
mark only one	monthly 🔲			
with an x	quarterly semiannual	Violation Base	Penalty	\$1,250
	annual 🔲			
	single event	X		
		One single event is recommended.		
		тусто, што принистичниция		-
Good Faith Efforts to Com	ply	0.0% Reduction	L	. \$0
	Extraordinary	Before NOV NOV to EDPRP/Settlement Offer		
	Ordinary			
	N/A	x (mark with x)		
	Notes	The Respondent does not meet the good faith criteria for this violation.		00AMIA remanne
	<u>L</u>	Violation	Subtotal	\$1,250
Economic Benefit (EB) for	thic violation	n Statutory Limit	Toct	
Estimat	ed EB Amount	\$24 Violation Final Pena	Ity Total	\$1,488
		This violation Final Assessed Penalty (adjusted for	or limits)	\$1,488

Media Violation No.	RN103025805 Water Quality 8		·			Percent Interest	Years of Depreciation
						5.0	1
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	1	السينين السيال		0.00	\$0	n/a	\$0
		1					
Training/Sampling	4500	20 Cab 2012	1 12-1 2014	0.00	<u>\$0</u>	n/a	\$0 #22
Training/Sampling Remediation/Disposal	\$500	20-Feb-2013	1-Jan-2014	0.86	\$22	n/a	\$22
Training/Sampling Remediation/Disposal Permit Costs Other (as needed)	\$50 Delayed costs	20-Feb-2013 include the estin	1-Dec-2013 nated amount n	0.86 0.00 0.78 ecessa	\$22 \$0 \$2 ry to remove slude	n/a n/a n/a ge from the drying b	\$22 \$0 \$2 peds located at
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure prone inve	\$22 \$0 \$2 ry to remove slud per disposal and s stigation to the es	n/a n/a n/a ge from the drying b submit notice of cha timated dates of co	\$22 \$0 \$2 eds located at nges made to mpliance.
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro ne inve	\$22 \$0 \$2 ry to remove slud- pper disposal and s stigation to the es ng item (except	n/a n/a n/a n/a ge from the drying bubmit notice of chatimated dates of cor	\$22 \$0 \$2 beds located at nges made to mpliance.
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro ne inve	\$22 \$0 \$2 ry to remove slud- oper disposal and s stigation to the es rg item (except	n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoid	\$22 \$0 \$2 seds located at nges made to mpliance.
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro ne inve	\$22 \$0 \$2 ry to remove slude oper disposal and s stigation to the es ng item (except \$0 \$0	n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoice \$0 \$0	\$22 \$0 \$2 seds located at nges made to mpliance. led costs) \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse enterin 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove slud, per disposal and s stigation to the es ng item (except \$0 \$0 \$0	n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoic \$0 \$0 \$0 \$0 \$0	\$22 \$0 \$2 beds located at nges made to mpliance. !ed costs) \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse ne inverse 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove slude oper disposal and s stigation to the es ng item (except \$0 \$0	n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoice \$0 \$0	\$22 \$0 \$2 seds located at nges made to mpliance. led costs) \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse enterin 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove sludger disposal and stigation to the estigation to the estigation \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ge from the drying besubmit notice of chatimated dates of cor for one-time avoid \$0 \$0 \$0 \$0 \$0	\$22 \$0 \$2 seds located at nges made to mpliance. led costs) \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse 0.00 0.00 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove sludy per disposal and s stigation to the es ng item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a ge from the drying be submit notice of chate it imated dates of corfor one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$22 \$0 \$2 beds located at nges made to npliance. led costs) \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse enteria 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove sludger disposal and stigation to the es rg item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$22 \$0 \$2 seds located at nges made to mpliance. led costs) \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse enteria 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove sludger disposal and stigation to the es rg item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$22 \$0 \$2 seds located at nges made to mpliance. led costs) \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	\$50 Delayed costs the old wasto the Facil	20-Feb-2013 Is include the estimewater treatment ity, calculated fro	1-Dec-2013 nated amount n facility and ens m the date of th	0.86 0.00 0.78 ecessa ure pro- ne inverse enteria 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$22 \$0 \$2 ry to remove sludger disposal and stigation to the es rg item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ge from the drying be submit notice of chatimated dates of confor one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$22 \$0 \$2 seds located at nges made to mpliance. led costs) \$0 \$0 \$0 \$0

	ate 7-May-2013 ent City of Yorktown	Docket No. 2013-0888-MWD-E Policy Revisi	PCW fon 3 (September 2011)
Reg. Ent. Reference Media [Statu Enf. Coordina Violation Nun	ite] Water Quality itor Jill Russell iber 9	PCW F	Revision August 3, 2011
Rule Cit	e(s) 30 Tex. <i>i</i>	Admin. Code § 305.125(1) and (17) and TPDES Permit No. WQ0010323001, Sludge Provisions	
Violation Descrip		submit the annual sludge report for the monitoring period ending as documented during an investigation conducted on February 20, 2013.	
		Base Penalty	\$25,000
>> Environmental, Pro	,	n Health Matrix Harm Moderate Minor	
	ntial	Percent 0.0%	777
>>Programmatic Matr		Moderate Minor X Percent 1.0%	
Matrix Notes	More th	nan 70% of the rule requirement was met.	
		Adjustment \$24,750	***************************************
			\$250
Violation Events			
Numbe	r of Violation Events	157 Number of violation days	
mark only with an	x quarterry	Violation Base Penalty	\$250
	semiannual annual single event		
		One single event is recommended.	
Good Faith Efforts to C		0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	\$0
	Extraordinary Ordinary N/A	X (mark with x)	
	Notes	he Respondent does not meet the good faith criteria for this violation.	
		Violation Subtotal	\$250
Economic Benefit (EB)			
Esti	mated EB Amount	\$0 Violation Final Penalty Total This violation Final Assessed Penalty (adjusted for limits)	\$298 \$298
		ring violation i mai Assessed Femalty (adjusted for minus)	4230

	<u> </u>	conomic	Benefit	wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	46797						3355
	Water Quality					Percent Interest	Years of Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment		T I		0.00	\$0	\$0	\$0
Buildings		1		0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land		i i	F1, 41, 17 (17), III.	0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs		1			+0		4.0
				11 0.00 1	\$0	i n/a i	\$0
Other (as needed)				0.00	\$0	n/a n/a	\$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL			0.00	\$0 are associated with	n/a	\$0
Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/equipment	ANNUAL			enterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 are associated with square \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n violation no. 5. For one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL			enterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 are associated with second	n/a n violation no. 5. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0 \$0 \$0 \$0



ICEQ Compliance History Report

PUBLISHED Compliance History Report for CN600306278, RN103025805, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, CN600306278, City of Yorktown

Classification: SATISFACTORY

Rating: 14.83

or Owner/Operator:

RN103025805, CITY OF YORKTOWN

Classification: SATISFACTORY

Rating: 14.83

Regulated Entity:

WWTP

Complexity Points:

Repeat Violator: NO

CH Group: Location:

08 - Sewage Treatment Facilities

LOCATED AT 500 SOUTH RIEDEL STREET, APPROXIMATELY 0.7 MILE SOUTHEAST OF THE INTERSECTION OF

STATE HIGHWAY 72 AND STATE HIGHWAY 119 AT THE END OF ECKHARDT STREET IN YORKTOWN, DEWITT

COUNTY, TX

TCEQ Region:

REGION 14 - CORPUS CHRISTI

ID Number(s):

WASTEWATER PERMIT WQ0010323001

WASTEWATER EPA ID TX0054631

WASTEWATER LICENSING LICENSE WQ0010323001

Compliance History Period: September 01, 2007 to August 31, 2012

Rating Year: 2012

Rating Date: 09/01/2012

Date Compliance History Report Prepared: May 06, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 06, 2008 to May 06, 2013

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Stephen Thompson

Phone: (512) 239-2558

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES NO

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

3) If **YES** for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If **YES**, when did the change(s) in owner or operator

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

ADMINORDER 2011-0127-MWD-E (Findings Order-Agreed Order Without Denial) Effective Date: 08/13/2011 1

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rgmt Prov: Eff. Limit. & Monit. Req. No. 1 PERMIT

Description: Failure to comply with the permitted effluent limitations.

ADMINORDER 2011-1610-MWD-E (Findings Order-Agreed Order Without Denial) Effective Date: 08/02/2012 2

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rgmt Prov: Eff. limts and Monitoring Req. No. 1 PERMIT

Description: Failure to comply with permitted effluent limitations as documented by a TCEQ record review of self-reported

data.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	May 20, 2008	(926979)
Item 2	June 13, 2008	(926983)
Item 3	July 10, 2008	(926987)
Item 4	September 16, 2008	(926995)
Item 5	October 24, 2008	(926999)
Item 6	November 20, 2008	(927003)
Item 7	January 14, 2009	(927007)
Item 8	February 20, 2009	(926966)
Item 9	April 28, 2009	(926974)
Item 10	May 22, 2009	(926980)
Item 11	June 16, 2009	(926984)
Item 12	July 14, 2009	(926988)
Item 13	August 14, 2009	(765918)
Item 14	August 17, 2009	(926992)
Item 15	September 17, 2009	(926996)
Item 16	October 14, 2009	(927000)
Item 17	November 16, 2009	(927004)
Item 18	December 18, 2009	(927008)
Item 19	January 25, 2010	(927012)
Item 20	February 19, 2010	(926967)
Item 21	March 11, 2010	(926970)
Item 22	April 15, 2010	(926975)
Item 23	September 24, 2010	(874558)
Item 24	October 28, 2010	(896961)
Item 25	November 08, 2010	(888613)
Item 26	December 31, 2010	(896962)
Item 27	January 24, 2011	(909754)
Item 28	February 11, 2011	(909753)
Item 29	August 31, 2011	(959954)
Item 30	September 28, 2011	(965999)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 Date: 05/31/2012 (1032216) CN600306278

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

2 Date: 06/30/2012 (1032217) CN600306278

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

3 Date: 07/31/2012 (1064253) CN600306278

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

4 Date: 08/31/2012 (1064254) CN600306278

Self Report? YES Classification: Moderate 2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) Failure to meet the limit for one or more permit parameter Description: CN600306278 09/30/2012 (1064255) Date: Classification: Self Report? YES Moderate Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1) Description: Failure to meet the limit for one or more permit parameter CN600306278 Date: 10/31/2012 (1064256) Self Report? Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

11/30/2012 (1064257) CN600306278 Date:

> Self Report? YES Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

12/31/2012 (1080407) 8 Date: CN600306278

Self Report? YES Classification: Moderate

2D TWC Chapter 26, SubChapter A 26,121(a) Citation:

30 TAC Chapter 305, SubChapter F 305.125(1) Failure to meet the limit for one or more permit parameter

Description:

9 Date: 01/31/2013 (1080406) CN600306278

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

F. Environmental audits:

Citation:

N/A

5

6

7

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

I. Participation in a voluntary pollution reduction program:

J. Early compliance:

N/A

Sites Outside of Texas:

N/A



Texas Commission on Environmental Quality



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	. § · ·	TEXAS COMMISSION ON
CITY OF YORKTOWN	§	
RN103025805	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2013-0888-MWD-E

I. JURISDICTION AND STIPULATIONS

- 1. The Respondent owns and operates a wastewater treatment facility located at 500 South Riedel Street, approximately 0.7 miles southeast of the intersection of State Highway 72 and State Highway 119 at the end of Eckhardt Street in Yorktown, Dewitt County, Texas (the "Facility").
- 2. The Respondent has discharged municipal waste into or adjacent to any water in the state under Tex. Water Code ch. 26
- 3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about April 24, 2013.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

S. H. S. SALLANDE SALL SOME

6. An administrative penalty in the amount of Fifty-One Thousand Thirty Dollars (\$51,030) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand One Hundred Thirty-Four Dollars (\$1,134) of the administrative penalty and Ten Thousand Two Hundred Six Dollars (\$10,206) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Thirty-Nine Thousand Six Hundred Ninety Dollars (\$39,690) of the administrative penalty shall be payable in 35 monthly payments of One Thousand One Hundred Thirty-Four Dollars (\$1,134) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a).
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to ensure that the Facility is operated a minimum of five days per week by a chief operator or an operator holding a Category C license or higher, in violation of 30 TEX. ADMIN. CODE §§ 30.350(d) and 305.125(1) and Texas Pollutant Discharge Elimination

System ("TPDES") Permit No. WQ0010323001, Other Requirements No. 1, as documented during an investigation conducted on February 20, 2013. Specifically, it was documented that the licensed chief operator visits the Facility only once per week.

- 2. Failed to give 180 days prior notice to the Executive Director of any change in the sewage sludge disposal practice, in violation of 30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010323001, Sludge Provisions, Section III, Part C, as documented during an investigation conducted on February 20, 2013. Specifically, it was documented during a review of sludge trip tickets that sludge was hauled to Victoria Compost Facility, a Type V Municipal Solid Waste Processing Center, however, the sludge disposal facility listed on the Facility's permit application is Covel Gardens Landfill in San Antonio.
- 3. Failed to ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained, in violation of 30 Tex. ADMIN. CODE § 305.125(5) and TPDES Permit No. WQ0010323001, Operational Requirements No. 1, as documented during an investigation conducted on February 20, 2013. Specifically, the following deficiencies were noted: one of the three pumps in the main lift station was out of service, one of the five rotors in the oxidation ditch was non-functional, the chlorine contact chamber exhibited signs of accumulated solids including bubbling and rising solids, the enclosed chlorine room did not have an operational vent fan, the chlorine scale was non-functional and the visual alarm at the 8th Street lift station was burnt out.
- 4. Failed to maintain records of monitoring activites, in violation of 30 Tex. Admin. Code §§ 305.125(1) and 319.7(a)(1), (2), (3) and (5) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements Nos. 3.c.i., iii., iv. and vi., as documented during an investigation conducted on February 20, 2013. Specifically, it was documented that the following records were not being maintained: sample and analysis times for field parameters, quality control results and the identity of the individual performing the analysis.
- 5. Failed to timely submit the monthly discharge monitoring reports ("DMRs") for the monitoring periods ending May 31, 2012, July 31, 2012, and December 31, 2012, in violation of 30 Tex. Admin. Code §§ 305.125(17) and 319.7(d) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 1, as documented during an investigation conducted on February 20, 2013.
- 6. Failed to submit noncompliance notifications for effluent violations that exceeded the permitted effluent limit by 40% or more for the monitoring periods ending February 29, 2012 through January 31, 2013, in violation of 30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 7.c., as documented during an investigation conducted on February 20, 2013.
- 7. Failed to comply with test procedures for the analysis of pollutants, in violation of 30 Tex. Admin. Code §§ 305.125(1) and 319.11 and TPDES Permit No. WQ0010323001, Monitoring and Reporting Requirements No. 2, as documented during an investigation conducted on February 20, 2013. Specifically, the pH buffer solutions were expired and pH calibration was not being performed on a daily basis.
- 8. Failed to give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the Facility, in violation of 30 TEX. ADMIN. CODE § 305.125(1)

City of Yorktown DOCKET NO. 2013-0888-MWD-E Page 4

and TPDES Permit No. WQ0010323001, Permit Conditions No. 4.a., as documented during an investigation conducted on February 20, 2013. Specifically, it was documented that two sludge drying beds not identified in the Facility's permit application were being used as part of the Facility's treatment process.

9. Failed to timely submit the annual sludge report for the monitoring period ending July 31, 2012, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and (17) and TPDES Permit No. WQ0010323001, Sludge Provisions, as documented during an investigation conducted on February 20, 2013.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Yorktown, Docket No. 2013-0888-MWD-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, ensure that the Facility is operated by an individual that holds a Category C or higher wastewater treatment operator's license at least five days per week, in accordance with 30 Tex. Admin. Code § 30.350 and TPDES Permit No. WQ0010323001;
 - b. Within 15 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision No. 2.h., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.;
 - c. Within 30 days after the effective date of this Agreed Order:
 - i. Provide notice to the Executive Director of changes to the sludge disposal practices as originally described in the Facility's permit application, in

accordance with TPDES Permit No. WQ0010323001. Notice shall be submitted to:

Wastewater Permitting Section Water Quality Division, MC 148 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- ii. Ensure that records of monitoring activities include the following: sample and analysis times for field parameters, quality control results and the identity of the individual performing the analysis, in accordance with TPDES Permit No. WQ0010323001;
- iii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DMRs and sludge reports, in accordance with TPDES Permit No. WQ0010323001;
- iv. Update the Facility's operational guidance and conduct employee training to ensure that notification is submitted in writting to the Regional Office and the Enforcement Division within five working days of becoming aware of an effluent violation which deviates from the permitted effluent limitation by more than 40%, in accordance with TPDES Permit No. WQ0010323001; and
- v. Update the Facility's operational guidance and conduct employee training to ensure that effluent sampling and reporting is conducted in accordance with 30 Tex. Admin. Code §§ 319.4 319.12, including but not limited to ensuring that pH calibration is properly conducted on a daily basis.
- d. Within 45 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision No. 2.h., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.;
- e. Within 60 days after the effective date of this Agreed Order, discontinue use of the sludge drying beds located at the old wastewater treatment facility and ensure that the sludge located there is removed and disposed of properly;
- f. Within 75 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision No. 2.h., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e.;
- g. Within 90 days after the effective date of this Agreed Order, ensure that the Facility and all its systems of collection, treatment, and disposal are properly operated and maintained, including but not limited to removing accumulated solids from the chlorine contact chamber and ensuring that it remains free of sludge, equipping the enclosed chlorine room with an operational vent fan,

City of Yorktown DOCKET NO. 2013-0888-MWD-E Page 6

repairing or replacing the chlorine scale and repairing or replacing the visual alarm at the 8th Street lift station;

h. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.g. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Corpus Christi Regional Office Texas Commission on Environmental Quality 6300 Ocean Drive, Suite 1200 Corpus Christi, Texas 78412-5503

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the

City of Yorktown DOCKET NO. 2013-0888-MWD-E Page 7

Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 7. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

For the Commission

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Executive Director 3/28/14 Date
I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.
 I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in: A negative impact on compliance history; Greater scrutiny of any permit applications submitted; Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions; Automatic referral to the Attorney General's Office of any future enforcement actions; and TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance documents may result in criminal prosecution.
Signature Rene Hernandez Name (Printed or typed) Authorized Representative of City of Yorktown

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration

Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.